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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---|-------------|----------------------|----------------------------------|
| 08/608,744 | 02/29/96 | NAKAMURA | T YAO-3050 |
| | | EXAMINER | |
| PAUL PRESTIA RATNER & PRESTIA 500 N GULPH RD PO BOX 980 VALLEY FORGE PA 19482 | | B2M1/0302 | ART-UNIT: PAPER NUMBER 8 2509 |
| | | | DATE MAILED: 03/02/98 |

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire three month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Draftsman's Patent Drawing Review, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1-73, 95-96, 100-107 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. Claims _____ have been cancelled.
3. Claims 95-96 and 100-107 are allowed.
4. Claims 1-73 are rejected.
5. Claims _____ are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. Formal drawings are required in response to this Office action.
9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.
13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. Other

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Claims 2, 10, and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 and 10 are not clear as to how the parenthetical information is to be interpreted in the claim.

Claim 30 is not clear as to what "a constant shape" means.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1, 6, 7, 11, 13, 16, 22, 23, 26, 27, 39, and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawai et al. (5,499,112).

Kawai et al. disclose a light guide (3), a light emitting means (8), and a light diffusing section (5). Regarding claim 6, figure 24A discloses a second light emitting means (8). Regarding claim 7, figure 20A discloses mirror 6. Regarding claim 11, figure 26A discloses a saw-toothed light diffusing region.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2-5, 8-10, 12, 14-15, 17-21, 24-25, 28-38, and 41-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai et al (5,499,112).

Regarding claims 2-5 and 24-25, Kawai et al. fails to discloses the specifics of the light transmitting medium of the light guide. however, it is notoriously old in the art to have such a medium with a high transmittance material, such as acrylic, so that light is transmitted to the original to be illuminated.

Regarding claims 69-73, it would have been obvious to have plural light sources because this would allow for color scanning as is well known in the art.

Regarding the remaining claims, such limitations of the diffusing layer are inherent in Kawai et al.

Claims 95-96 and 100-107 are allowed. These claims are allowed because the prior art fails to disclose the fiber array plate, "groups" of fibers, and a light emitting array arranged as claimed.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The additional prior art references made of record disclose various illumination devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Lee whose telephone number is (703) 308-4116. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Westin, can be reached on (703) 308-4823. The fax phone number for this Group is (703) 308-7726.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.


Lee/ab

February 9, 1998

Edward Westin

EDWARD P. WESTIN
SUPERVISORY PATENT EXAMINER
GROUP 250